



10-07-04

AF # afw

Filed Via Express Mail pursuant to 37 C.F.R. 1.10

Rec. No.: EL 980 186 399 US

On: OCTOBER 6, 2004

By:

LINDA E. HASTINGS

Any fee due as a result of this paper, not covered by an enclosed check, may be charged on Deposit Acct. No. 50-1290.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Inventor : Jordi BASAGANAS MILLAN  
Serial No. : 10/070,769  
Filed : August 22, 2002  
Title : **ELECTRICAL DIFFUSER FOR AIR FRESHENERS,  
INSECTICIDES AND THE LIKE**  
Examiner : Christopher S. Kim  
Group Art Unit : 3752

October 6, 2004

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Sir:

Applicant hereby appeals to the Board of Appeal from the final rejection dated April 7, 2004, of non-allowed claims 1 - 3.

The item(s) checked below are appropriate

1. ( X ) An extension of time to respond to the final rejection was requested on September 7, 2004 for two (2) months.)

10/08/2004 MAHMED1 00000043 501290 10070769

01 FC:1401 340.00 DA

2. ( X) A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.)

3. (x) Fee - \$340.00.

(x) A petition for a three (3) month extension of time under 37 C.F.R. 1.136(a) is enclosed.

(x) Charge to Deposit Account No. 50-1290 (one additional copy of this Notice is enclosed herewith).

(x) Enclosed. Please charge any additional fee required for this Notice of Appeal to Deposit Account No. 50-1290. A duplicate copy of this paper is enclosed.

( ) Not required (Fee paid in prior appeal)

Any fee due with this paper, not fully covered by an enclosed check, may be charged to Deposit Account 50-1290.

Respectfully submitted,



Thomas J. Bean  
Reg. No. 44,258

**CUSTOMER NUMBER 026304**

TELEPHONE NO: (212) 940-8800  
FAX NO: (212) 940-8986/7  
DOCKET No.: HERR 19.510 (100700-00056)